

**SUPPLEMENTAL DECLARATION OF  
BENJAMIN W. ICARD**

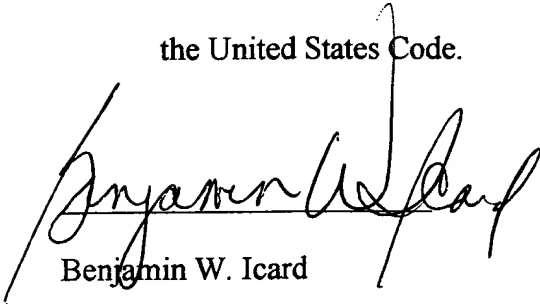
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I, Benjamin W. Icard, hereby testify as follows:

1. My affidavit dated November 11, 1999 ("Benjamin W. Icard Affidavit"), which I am told has been submitted by the petitioner in the public use proceeding of Reissue Application No. 09/267,025 in the U.S. Patent and Trademark Office, is incorporated herein in its entirety.
2. Exhibits D, E, F, and I of the Benjamin W. Icard Affidavit are true and accurate copies of what they purport to be as identified in the Benjamin W. Icard Affidavit. They were each kept in the ordinary course of Clear Choice Marketing, Inc.'s business.
3. Exhibits E and G of the Benjamin W. Icard Affidavit include true and accurate copies of the included newspaper and journal articles.
4. The photographs in Exhibit H of the Benjamin W. Icard Affidavit fairly and accurately depict the exterior and interior views of the Circle K convenience store on Nations Ford Road, Charlotte, NC in September, 1993.
5. Exhibit C of the Benjamin W. Icard Affidavit includes true and accurate copies of what each of the included documents purport to be. These documents were kept in the ordinary course of Clear Choice Marketing, Inc.'s or Visual Technologies, Inc.'s businesses.
6. I gave Linda M. Icard true and accurate copies of three letters that I sent to Coca-Cola Fountain, Georgia Lottery, and Earl Polmer Brown on October 1, 1993. I also gave Patrick Henrietta a true and accurate copy of the Coca-Cola letter. These letters were kept in the ordinary course of the business of Clear Choice Marketing, Inc.

**PUBLIC USE PROCEEDING  
APPLICATION NO. 09/267,025  
PETITIONER'S EXHIBIT 9**

7. I gave Linda M. Icard a true and accurate copy of Clear Choice Marketing, Inc. invoice # 00001108. This invoice were kept in the ordinary course of the business of Clear Choice Marketing, Inc.
8. Exhibit J of the Benjamin W. Icard Affidavit is a true and accurate copy of the October 4, 1993 Visual Technologies, Inc. production calendar, which Linda M. Icard provided to me.
9. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

  
Benjamin W. Icard

4/30/03  
Date